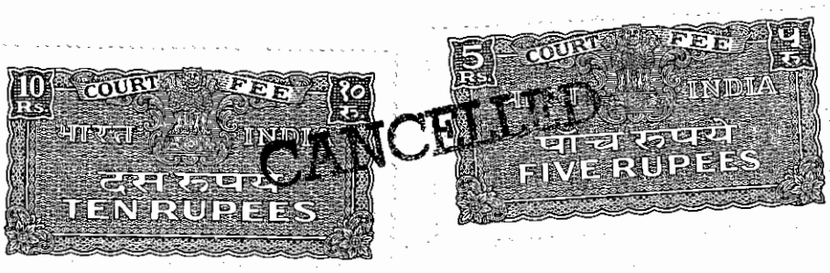

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Misc.Appeal No. 227 of 2003.

APPELLANT PLAINTIFF : Shri Yadunath Gaushala Kawardha through Secretary, Atmanand Gupta Son of Shri Gajaram Gupta aged 50 years, Resident of Village Guptapara Kawardha, Tahsil & District Kawardha (C.G.)

P. R. No. 2875 Presented by Shri Venkateshwar Tiwari dated 30.01.03

_V_E_R_S_U_S_

RESPONDENTS DEFENDENTS :

1. Lakhan aged 60 years son of Surit Gond Resident of Lalpur P.H.No.33 Than & Tahsil & District Kawardha.

2. Sukhraji aged 50 years son of Dhursingh Sahu Resident of Singhanpuri.

3. Mangal aged 55 years son of Mukhi Gond, Village Lalpur, Tahsil & District Kawardha.

4. Kajelal aged 40 years son of Ikkalram Yadav Village Lalpur, Thana & Tahsil & District Kawardha.

5. Baishakhu aged 50 years, son of Kuwarsingh Sahu Village Lalpur, Thana & Tah.& District Kawardha.

6. Ramnath Patel aged 55 years son of Knot known Village Lalpur Thana & Tah.& District Kawardha.

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(9)

7. Ramcharan aged 40 years, son of Sahgu Rawat Village Lalpur, Thana & Tah. & District Kawardha.

8. Shiv aged 35 years son of Aghnu Rawat Resident of Lalpur Thana & Tah. & District Kawardha.

9. Kritram aged 45 years son of Sadal Sahu Village Lalpur, Tah.& District Kawardha.

10. Chintaram aged 40 years, son of Rajau Sahu Village Lalpur Thana & Tah.& District Kawardha.

11. Santeram aged 40 years son of Baldu Gond Village Taro, Tah.& District Kawardha.

12. Kartik aged 40 years son of Sitaram Pali Village Taro Tahsil & District Kawardha.

13. Rani Shashi Prabha Devi aged 60 years Wife of Shriman Rajasahab Vishwaraj Singh Ji Mahraj, Kawardha,Tah.& District Kawardha.

14. State of Chhattisgarh-through Collector,Kawardha (C.G.)

APPEAL UNDER ORDER 43 RULE 1 (a) OF CODE OF CIVIL PROCEDURE

(Claim in Appeal Valued at Rs. 2000/- only)

Being aggrieved with the order dated 23.12.2002 passed by Shri S.L.Chakradhari Civil Judge Class II Kawardha in Civil suit No.28 A of 2002 between Shri Yadunath Gaushala Versus Lakhan and others, ordering return of plaint

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर.

आदेश पत्रक

(29)

M.A.No. 227/2003

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23.4.2003

It is pointed out by the office that this appeal was withdrawn by the learned counsel for the appellant with liberty to avail alternative remedy.

However, in the order dated 31/3/2003, it is inadvertently typed that in view of the new amendment in Civil Procedure Code made applicable with effect from 1/7/2002, counsel for the applicant wants to withdraw the revision with liberty to file appropriate proceedings including writ or appeal.

Therefore, the case is relisted today.

Shri H.B. Agrawal appears for the appellant.

He submits that inadvertently the order dated 31/3/2003 has been typed. He submits that order dated 31/3/2003 may be recalled and he may be permitted to withdraw this appeal with liberty to avail alternative remedy.

Having thus considered, the order dated 31/3/2003 is recalled and the present appeal is dismissed as withdrawn with liberty to avail alternative remedy.

Sd/-
Fakhruddin
Judge

[पीछे देखिये

23-9-M